

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

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THE HONORABLE CLAYTON HEE, CHAIR  
SENATE JUDICIARY AND LABOR COMMITTEE  
Twenty-seventh State Legislature  
Regular Session of 2013  
State of Hawai'i

January 30, 2013

RE: S.B. 872; RELATING TO COLLECTION OF RESTITUTION FOR CRIME VICTIMS.

Chair Hee, Vice Chair Shimabukuro, and members of the Senate Committee on Judiciary and Labor, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in support of S.B. 872, which amends the definition of "victim" in section 706-646, HRS, to include any duly incorporated humane society or society for the prevention of cruelty to animals that impounds, holds, or receives custody of a pet animal pursuant to sections 711-1109.1, 711-1109.2, and 711-1110.5, HRS, thus allowing the society to collect restitution for medical expenses and burial expenses for pet animals they have custody of as a result of a forfeiture or impoundment against the pet animal's owner.

We strongly support the passage of S.B. 872. Thank you.

**Justin F. Kollar**  
Prosecuting Attorney



**Kevin K. Takata**  
First Deputy

**Rebecca A. Vogt**  
Second Deputy

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**County of Kaua'i, State of Hawai'i**

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TESTIMONY IN SUPPORT OF  
S.B. NO. 872  
A BILL FOR AN ACT RELATING TO THE COLLECTION OF RESTITUTION FOR  
CRIME VICTIMS

Justin F. Kollar, Prosecuting Attorney  
County of Kaua'i  
Wednesday, January 30, 2013, 9:30 a.m., Room 016  
Senate Committee on Judiciary and Labor

Honorable Chair Hee, Vice-Chair Shimabukuro, and Members of the Senate Committee on Judiciary and Labor, the Office of the Prosecuting Attorney, County of Kaua'i submits the following testimony in support of Senate Bill No. 872.

The purpose of Senate Bill No. 872 is to amend Section 706-646 of the Hawai'i Revised Statutes as it relates to the definition of "victim" regarding the collection of restitution for crime victims.

Senate Bill No. 872 incorporates "humane society or society for the prevention of cruelty to animals..." thereby broadening the scope of the type of crime victim that is entitled to restitution.

For this reason, we strongly support Senate Bill No. 872. Thank you for the opportunity to testify on this matter.

Respectfully

Justin F. Kollar  
Prosecuting Attorney  
County of Kaua'i

To: Chair Clayton Hee, Vice Chair Maile Shimabukuro and Members of the Senate  
Judiciary and Labor Committee  
From: Mary James  
Date: January 30, 2013

Re: Testimony in support of Senate Bill 872

I support the provision in this bill to provide for the compensation of an animal rescue organization that receives animals pursuant to a lawful seizure based on various animal cruelty provisions. This will ensure that the costs expended by the rescue organization will not be absorbed by by it which would limit the ability to address the needs of other animals.

I have a couple questions about the bill:

- Why are the provisions of the bill limited to “any duly incorporated humane society or society for the prevention of cruelty to animals”?
- What kinds of rescue organizations would fit these descriptions?

I note that a number of the sections in the bill are due to be repealed and reenacted on July 1, 2015, based on Act 149 of 2011. Assuming this provision is to be permanent, some minor changes might need to be made to the bill

Thank you for the opportunity to testify on this measure.